

### **Remarks**

The various parts of the Office Action are discussed below under similar headings.

#### ***Claims***

Claims 4, 14 and 20 have been amended to clarify the invention. In addition, new claims 41-58 have been added.

#### ***Drawings***

During the May 15, 2006 interview, Examiner Reimers noted that the replacement page was not received with the response to the February 8, 2006 office action. A copy of the replacement page referenced in that response is included. It is respectfully submitted that the drawings meet the requirements of 37 CFR § 1.83(a).

#### ***Declaration***

Also during the May 15, 2006 interview, Examiner Robert suggested that a third party affidavit or declaration regarding the differences between spinal disc implants and facet implants may be helpful. A declaration and curriculum vitae of John E. Sherman, M.D. is attached for the Examiner's reference.

Docket No. HORA.P0101US  
Serial No. 10/651,871


**Conclusion**

This application is now in condition for allowance and an early action to that effect is earnestly solicited.

Respectfully submitted,

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By

  
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CERTIFICATE OF MAILING (37 CFR§ 1.8a)

I hereby certify that this paper (along with any paper or thing referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 223131450.

Date: June 7, 2006

  
Deirdre Preston

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